

REVISED 6/5/15

**United States Court of Appeals**

FIFTH CIRCUIT  
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June 04, 2015

United States District Court  
Southern District of Texas  
FILED

TO COUNSEL LISTED BELOW:

JUN 05 2015

David J. Bradley, Clerk of Court

No. 15-40238 State of Texas, et al v. USA, et al  
USDC No. 1:14-CV-254

Dear Counsel:

The court requests each side to file a supplemental brief addressing pertinent portions of the majority and dissenting opinions issued by the motions panel on May 26, 2015, mindful of the relationship between motions panels and merits panels as stated in, e.g., *Mattern v. Eastman Kodak Co.*, 104 F.3d 702, 704 (5<sup>th</sup> Cir. 1997) (citing cases). The supplemental briefs are simultaneously due Thursday June 18 and may not exceed 7,000 words.

Sincerely,

LYLE W. CAYCE, Clerk

*Shirley M. Engelhardt*

By:  
Shirley M. Engelhardt, Deputy Clerk  
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